

ARIZONA HISTORICAL ADVISORY COMMISSION

July 18, 2006
MINUTES

The Arizona Historical Advisory Commission (AHAC) met at 1:00 pm. on July 18, 2006 at the Arizona State Library, Archives and Public Records, in the Director's Office Conference Room, at 1700 W. Washington, Suite 200, Phoenix, Arizona 85007.

ATTENDANCE

Members

Jim Garrison, State Historic Preservation Officer
State Historic Preservation Office, Arizona State Parks
GladysAnn Wells, Director
Arizona State Library, Archives and Public Records
Melodee Jackson, Director, Constituent Service
Office of the Governor
Shelley Cohn, Retired
Representing the Arts Community
Noel J. Stowe, Chair/Professor of History
Arizona State University
John Driggs, Chairman
Phoenix Heritage Commission
Catherine May, Senior Historical Analyst/Archivist
Salt River Project
Betsy Stunz-Hall, Representative
Arizona Library Association
Julie Yoder, Executive Director
Arizona Humanities Council
Beth Vershure, Station Manager, KAET-TV Channel 8
Arizona State University
Hartman Lomawaima, Director
Arizona State Museum

ABSENT

Members:

Ken Travous, Director
Arizona State Parks
Anne Woosley, Executive Director
Arizona Historical Society

Guests:

Mike Braun
AZ Legislative Council
Zee Peters, Library, Staff Member
Archives and Public Records

CALL TO ORDER

Acting Chairman Jim Garrison called the meeting to order at 1:14 pm.

APPROVAL OF MINUTES

June 27, 2006 Meeting Minutes

Motion: Melodee Jackson motioned, and Jim Garrison second the motion, that the minutes of the June 27th AHAC meeting be approved. Beth Vershure abstained from voting since she had not read the minutes.

The motion passed to approve the minutes of the June 27th AHAC meeting.

INTRODUCTIONS/ANNOUNCEMENTS

NONE

DISCUSSION/ACTION

- Elect new Officers
- Review Statewide Plan Draft – Next Steps
- Legacy Project approval letter – Signature Decision
- Web access:
 - Application
 - Links from Partners
- Centennial Logo & Letterhead
- The Organization of Committees
- Legislative Council –Review of 2006 Centennial Legislation

Elect new Officers

MOTION: GladysAnn Wells motioned that we keep the current officers. She nominated Jim Garrison as the Chairman to replace Richard Sims.

The motion passed – Jim Garrison is the new AHAC Chairman and the other officers remain in their current positions:

Officers as previously elected:

Catherine May, Treasurer
GladysAnn Wells, Secretary
Ann Woosley, Vice Chairman
Noel Stowe – Vice Chairman of Committees

Legislative Council –Review of 2006 Centennial Legislation

Mike Braun spoke about many complex issues and for that reason, the entire transcript of his presentation is included in the minutes:

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Braun: Mr. Chairman, my name is Mike Braun I am the Executive Director of the Legislative Council. Right now I am handing out a shortened version of House Bill 2870, which was signed into law in June this year. It will become effective on September 21, 2006. If you will notice that the actual bill has 40 different sections but the only ones that are included in this hand-out are directly related to the Historical Advisory Commission.

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Driggs: I understand the 90 day provision. Just educate me. Do all appropriation bills have the same 90 day delay? If so, why do appropriation sections of a bill have a 90 day delay? If there are different rules for different types of appropriations if you have a bill that only makes appropriations for the support and maintenance of state government for example the annual fee bill, that bill becomes effective immediately on the signature.

Braun: This bill mixes appropriations with substantive provisions then by definition cannot be....

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Braun: Again this handout only contains sections two, four and seven of the bill, but none of the sections that are eliminated from here have any relevance to our discussion. You see on page one of the handout on lines 18 thru 20 the first change to the existing statute; in the existing law members who were governmental employees did have their expenses reimbursed by their governmental entity. But this change in the law now says that "if you are not employed by the state you are eligible to have your expenses reimbursed by the commission", pursuant to the provisions that are in Title 38 for reimbursement of expenses. If you look at those sections you will see it requires a formal procedure and you can decide how you would want to handle this but it requires advanced approval and other things like that you should use the standard state forms with this change.

Braun: Members of the commission that are not state employees are to now be eligible to have their expenses reimbursed. The second set of changes you will see, starting on page two. There are pretty big changes on line 23, the existing charge of the commission before this bill passed included; advising the legislature, assisting the governor's countdown, and recommending activities and projects. You can see on line 23 that the charge of the commission has now changed to include not only recommending activities and projects, but also funding activities and projects. Next substantive change is on lines 25 thru 27; the existing law talks about giving the ability to the director of the state library to accept and spend funds on behalf of the commission when that activity relates to the centennial. Now that has been modified so that it is actually the commission itself that will accept and spend the funds. Another change is lines 29 thru 32. The new language makes it clear that the

Historical Advisory Commission could accept grants, gifts, contributions and devises but does not include appropriations. But, that the commission will be able to accept anything except appropriations in order to contract for administrative, clerical help, professional, and administrative experts. Not to actually hire state employees, but to contract for those services. The third set of changes is on line 34 on page 2. We are seeing different variations of this bill as it goes through the legislative process. On line 36 appropriates 2.5 million dollars and you can see on line 37 that the 2.5 million dollars is appropriated to legislative council. Now it is important to remember that usually the state government and when people talk about legislative council, they are talking about the staff of legislative council but there is actually an entity that is called legislative council that is a statutory committee made up of members of the legislature, which is chaired in alternate years by the speaker and the president. It always contains these two members and then it usually leadership members from the majority and minority caucuses in both the house and the senate. The makeup of the current council will change the end of this chapter year; a new legislature will mean a new set of members in legislative council. That is the entity that will be making the determinations about what happens with the 2.5 million dollars.

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Driggs: How are they chosen Mike?

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Braun: The six members besides the president are appointed by the president. The six members besides the speaker are appointed by the speaker and the only requirement is that there is some sort of recognition of the geographical diversity of the members. That is generally, at the very least a requirement, there is one member from Tucson that has been held to meet the geographical diversity requirement, and it just really depends on the President and Speaker.

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Wells: Just one question. Are they four and two or three and three in terms of them joining?

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Braun: Changes without each council; usually depends on the make up of the legislature itself and the House and the Senate. The current makeup of the council for the House and the Senate is four and three, but it has shifted to five and two in other years. In the subsection B of the appropriation in that the 2.5 million dollars can not be spent except on an affirmative vote of the council meaning an affirmative vote of the fourteen members of the legislature that comprise the council. Requirement number 2 is the matching requirement you see on lines 41 thru 45. The matching requirement is five million dollars and that five million dollars has to come from sources other than the state of gifts, grants and donations it is collected by the HAC and then deposited in a Centennial account that the state treasurer's office will maintain. The next subsection C retains the concept that you probably saw in previous versions of this bill which was is that the commission generates these grants, gifts and these donations commission can spend them as they generate them, obviously they would have to place them to the account first but you don't have to let the account swell up to the 5 million dollars before you can begin to spend it.

Braun: What it says is there has to be an accounting that would be made through the legislative council so that the members can determine the nature and quality of the expenditures and before they approve the release of the 2.5 million dollars. The subsection D is really just again states the centennial account money can be spent for centennial purposes; it mimics the language that's in the existing section that gives the authority to the commission development centennial. The last section on page is again boiler plate language that states the general rule of the state law is that if you don't spend the money that has been appropriated in one year you lose it and it reverts to the states general fund, this provision at the bottom of page 3 is an exception to that rule, so even though you don't spend all 2.5 million dollars in the first year, it remains available for expenditure through June 30th of 2013. So you are not rushed to spend it before you lose it like most state appropriations. These changes will become effective September 21, 2006 and I would be happy to answer any questions.

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Garrison: I'd like to take the questions by sections. Does anybody have a question on Section 2 and the reimbursement division?

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Wells: It's my understanding from the time I did sit down and read Title 38 Chapter 4 that it would be important for this group to determine how they were going to do that reimbursement and would you advise us that maybe a small committee should get together and do that and bring it back to the commission to vote on?

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Braun: In terms of a small committee making a recommendation on how the commission; would you know, however the commission decides to do that is a fine way, but in one way shape or form the commission needs to decide what form committee members are going to fill out who's going to approve it, how far in advance the approval will be and then the person who submits for reimbursement is to familiarize themselves not only with the state statutes, but the rules the department of administration because there are a lot of limits on what can be reimbursed, how much can be reimbursed etc. But as a commission you would need to adopt some sort of procedure for processing those requests.

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Driggs: But then once the procedure, you know our own, who's going to do this or that? Then in the process you have to use and comply with certain paperwork set up by the state and forms.

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Garrison: The amount of money, \$29.50 a day for food and receipts requirement, we that work for the state government are all aware of the ranges and procedures are.

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Wells: Mr. Chairman, Mike, do we have to file that with anyone else or is that just our committee business?

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Braun: The internal process that you would use is your committee business but for the DOA to secure the reimbursement you would need to use their forms but the internal process that you use for approval of processing would be committee business. Obviously you wouldn't have to place it on each agenda at your monthly meeting.

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Wells: Mr. Chairman I would like to make just one note that the legislative folk follow the same per diem as DOA so there is strong limits for those of you that don't have to do this outside of state service there are strong limits for food, for the types of reimbursement, for the amount of money, each city has its own lodging reimbursement so we are going to have to educate those folks who may not have had the experience of the state government. Because one can't just say "it cost me \$150 dollars to stay here", that's fine if the per diem rate for staying there is \$50.00 that is all you are going to get.

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Driggs: Again none of this can happen until September 21st?

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Braun: that is correct the reimbursement for non state employees wouldn't be effective until then.

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Driggs: We are still governed bySB1065 that says that state employeescould be reimbursed.

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Braun: Well state employees could continue to be reimbursed through the summer, that hasn't changed at all, but the expansion of reimbursement to include non state employees does not kick in until September 21st.

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May: Mr. Chairman I am assuming that the member's funds are coming out of the 5 million, or is it coming from another

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Garrison: I think that is a critical question because it is not coming out of GladysAnn's budget, the states parks budget, or state museum budget, so this is why each of us that made some commitment to put money into the pot for the commission need to step up. The procedure for the statutory members and that's where you asked; I think we need to reiterate State Park is here and State Library who can receive a \$1,000 dollars, but I guess the commission should send a bill...does that sound like the best way? Send a bill to each of those for the commissions operation. That essentially the first available money out of that fund would be for reimbursement. Is what I would see where that would come from. Does that make sense?

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Wells: Mr. Chairman there also one other way to do it, which is the major costs of the stenographic system and for those entities that may not be able to help with actual paying of it , if you could pick up one meetings worth of stenographic cost that would also help a great deal.

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Garrison: Hartman how would you prefer?

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Hartman: Well I have a budget for membership subscriptions, so if you wanted to see if we could do it that way? Because the state rules make other options complicated but I could subscribe to a membership....

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Garrison: Right that's why I think if we send out a bill ...Historical Society has any preference or...

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Tatum: We have memberships that we apply for ...so that should work us.

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Wells: I know that the Arizona Geographic Information Council Board (AGIC) does it that way, where the state agency members all pay a small membership fee that goes in to a pot that then pays for travel, paper, and mailing, because right now all we are working on is that \$5,000 that John donated.

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Garrison: So we have the steno contracting and we have reimbursement slip we know the commission has spent so

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Driggs: Jim we all decided that we wanted to list on the commission letterhead the five, because there is something special about the five statutory members so this there is a unique membership characteristic.....so send a bill.

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Braun: Mr. Chairman please remember that the change in section two on page one cuts across all of the different duties of the AHAC so the reimbursement for the non state employees encompasses both centennial issues and other commission issues. But remember also when we get to the end of this bill, that any money that goes into the centennial account can only be used for centennial activities.

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May: Are their existing policies in place for AHAC in terms of procedure that we might want to take a look at?

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Wells: Catherine, No, we do have other boards in commissions that we have done reimbursement and we have those forms that comply with regulation and that are why maybe you, Jim and I could get together and go through those. They are fairly simple, but you need to see them.

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Garrison: I think that is great have the treasurer involved so the three of us; GladysAnn, Catherine May, and Jim Garrison will be a sub committee to work on the reimbursement form. Ok section three any question there?

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Stowe: I don't understand maybe I just did not hear what you said "we can be commissioned and accept and spend appropriations in the one sentence, but you made a point that we can't do what? Because.....

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Garrison: we have gone to the _____

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Braun: Well now this section is a separate issue, if you look on page two from lines 25 down to line 29 the existing authority talks about receiving appropriations to carry out for purposes of the centennial. Then in the next sentence all of those others, except appropriations, are mentioned again for their availability to enter into contracts for administrative and clerical staff etc. So conspicuous by its absence in the last sentence is the term "state appropriations"

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Garrison: So that is why we have to have this separate fund?

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Wells: Tell me if I am right even if we had a lot of money up at agency we could not spend our appropriated money to hire and executive director of the centennial?

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Braun: Right

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Garrison: so what does carrying out this section then mean?

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Braun: the three items that are listed in subsection A advising the legislature, assisting the governments countdown....

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Driggs: In other words our whole mission is the

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Braun: the centennial portion of the commissions.....

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Wells: Mike does that mean that AHAC could not receive money and establish money for any of the other purposes, i.e. the teaching of social studies we could not raise money and hire someone to help with such an activity?

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Driggs: This new language on line 29 through 32 does not give the commission the authority to contract for services beyond thisI'd have to look again at your existing statutory I don't believe it exist in the existing _____

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Garrison: ok in section A 3 it state recommend fund activity and projects that will ensure lasting legacy accomplishments; so we can't use appropriations for that?

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Braun: You can't use appropriations to enter into a contract with someone who will help you with that ; you will be able to use appropriations to fund ...but not to administer it; Clearly the legislature for every agency in the state the legislative council places a cap on the FTE that made ourto get anybody out to expand this permanently, and I'm sure that came into play ...so that there will now not be a new state employee position that would end up being funded and

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Stowe: If you don't have the staff to advise who's going to?....I understand that John but if you are going to implement this, there isn't any staff to implement.

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Wells: Not in the state appropriation paid staff.

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Vershure: They weren't going to let us use there money to pay someone to bother them.

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Garrison: I wasn't even thinking of it like that, I was thinking of how one and two get done? Any other comments on section 3? Section 7 which a whole new section, I believe we have been over that a few times.

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Stowe: My understanding is that the money literally is the policy of the state treasurer?

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Garrison: That is correct.

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Braun: this version of the law differs from an earlier one that allowed the commission to through an accounting procedure, take credit for expenditures that are no longer a part of state treasurer receipts.

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Wells: Am I correct in saying "If we were able to raise \$5 million or talk \$5 million worth of folks in to depositing their money, does the money have to stay with the state treasurer for any time limit does it?"

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Braun: It does not. Let tell you what my impression is, whether we see it reflected in the law or not would be one question, the second would we see it reflected in the procedures that a commission would follow, but my impression was that the people that negotiated this portion of this bill wanted to see was actual cash in an account i.e., one thing that I don't think they were interested in seeing was an entity who had a project that the commission would bless as a centennial project , simply deposit the money in the account on day one and then take it back out to do their own project on day 2. They would want to see the fund raising activity. Not simply the day to day

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Driggs: you absolutely right because some of my discussions Rep Tully who sponsored the Bill. He said he did not want to see this money as a pass through and use some of their already committed funds to play tricks....he wants it to be new money for centennial purposes.

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Garrison: At the same time; it does not say it has to stay in there until the full five million is in there it is not just to come in to go out.....

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Driggs: It could theoretically as long as it runs through the cash register at the treasurer there is no window for how long it has to stay there. That's why I think the legislative council will come up with some kind of a procedural format for us to follow.

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Garrison: It has to be related to an approved legacy project...

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Braun: It would be my guess to, please remember that I doubt that you would be ready to operate this calendar year and after this calendar year will be a whole new cast of characters so any discussion about that at this point would be moot because you will have a new set of leadership folks.

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Driggs: If we had some work for the legislative council to do , I guess the speaker says he doesn't want to deal with it then that would fine, but if we had work for them to do, I mean the speaker would at least have to address the subject.

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Wells: Mr. Chairman, am I correct, that the intention for the \$5 million dollars raised would be collected by this commission, not by the city of Tucson or Rio Solado but collected and fund raised by the commission deposited for at least a period of time

other than an hiccup with the state treasurer and that the accounting process will be determined by legislative council, but that how the \$5 million will be spent does not have to be approved in advance by the legislative council. It would do us well to make that we had some conversations about how we are doing it and keep the council informed so that there is a comfort level but we do not have to have fully constant open meetings of legislative council to spend the money as it is collected provided that we have met the letter of the law and any procedures that have been established?

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Garrison: That is correct.

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Driggs: Probably the odds are slim that we will have the \$5 million this calendar year.

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Garrison: Any other comments? Ok thanks a lot Mike

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Wells: I think we owe him an enormous thank you because if he had been unwilling to shoulder this additional responsibility I'm very sure we would have not received any money.

ACTION ITEM:

Garrison assigned GladysAnn, Catherine May, and Jim Garrison as a sub committee to work on the reimbursement form.

Review Statewide Plan Draft – Next Steps

MOTION: Jackson motioned that Betsy Stuntz-Hall, Zee Peters and GladysAnn Wells take all the different Statewide Plan(s) information and make a clean collaborative draft. John Driggs second the motion.

Motion Passed for Betsy Stuntz-Hall, Zee Peters and GladysAnn Wells to make a clean collaborative draft of the Statewide Plan.

Legacy Project approval letter – Signature Decision

MOTION: Jackson motioned that the Chairman sign the Legacy Project Approval Letters. Wells second the motion.

Motion passed – The Chairman will sign the Legacy Project approval letters.

Web access:

Application – Legacy Project application is now available on the www.azcentennial.gov website and can be filled in online.

Links from Partners – Historical Society, State Museum and State Parks need to send in links to their websites

John Driggs, Jim Garrison, Melodee Jackson, Ken Travous, Catherine May, Anne Woosley need to send in Pictures to add to the Centennial Website.

ACTION ITEM:

Complete links to AZCentennial.gov website

ACTION ITEM:

Pictures of AHAC Members needed for centennial website (John Driggs, Jim Garrison, Melodee Jackson, Ken Travous, Catherine May, Anne Woosley)

Centennial Logo & Letterhead

Suggestions were given for the Centennial Letterhead: Larger and simpler font, AZCENTENNIAL.GOV should be in blue and bigger, watermark of all the members who have been involved in fundraising for the core letterhead template.

The Organization of Committees

MOTION: Betsy Stuntz-Hall motioned that Melodee Jackson, the liaison from the Governors Office be the Chairman for the **Countdown to the Centennial** Committee

Motion Passed – Melodee Jackson is the Chairman for the Countdown to the Centennial

Development – John Driggs volunteered for the Development Committee

Marketing – Beth Vershure volunteered for the Marketing Committee

Programs, Projects and Events – Julie Yoder volunteered for the Programs Committee

Membership – Noel Stowe volunteered for the Membership Committee

MOTION: Betsy Stuntz-Hall motioned that John Driggs be Chairman of the Development Committee, Juliana Yoder as Chairman of Programs, Projects and Events Committee and Beth Vershure be the Chairman of Marketing and Noel Stowe be the Membership Committee Chairman. May second the motion.

Motion passed for John Driggs to be the Chairman of the Development Committee, Juliana Yoder as Chairman of Programs, Projects and Events Committee and Beth Vershure be the Chairman of Marketing and Noel Stowe be the Membership Committee Chairman

ACTION ITEM:

All chairs of subcommittees need to submit names to Noel Stowe, Vice Chairman of Membership to populate their committees.

ACTION ITEM:

Juanita – arrange for a Virtual Tour of Centennial website

Call to the Public.

No comments

Future meeting dates:

Next meeting will be August 29, 2006 at 1pm

Next Meeting Agenda Items:

Virtual tour of Centennial Website
Review and Discuss Reimbursement Form.
Committee Reports
Centennial Plan
Review Centennial Logo & Letterhead

Chairman Jim Garrison adjourned the meeting at 2:30 pm.

Respectfully Submitted

Juanita Cason
Arizona State Library, Archives and Public Records